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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/620,730	07/16/2003	Miska M. Hannuksela	061602-3486	9027

30542 7590 12/21/2006
FOLEY & LARDNER LLP
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EXAMINER

SENF, BEHROOZ M

ART UNIT	PAPER NUMBER
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2621

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/21/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/620,730

Applicant(s)

HANNUKSELA, MISKA M.

Examiner

Behrooz Senfi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 8 is/are rejected.
- 7) ☒ Claim(s) 6-7 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The status of figures 1 – 3 should be indicated as prior art.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 – 4 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Boyce (US 5,778,143).

Regarding claim 1, Boyce '143 discloses method for performing a gradual refresh of picture content in connection with random access into an encoded video sequence (i.e. figs. 1 – 2, element 14, intra coded, where intra-picture represents random access point), the video sequence comprising; a number of video frames, the picture content of each frame being encoded in one of at least a non-temporally predicted format (figs. 1 – 2, intra-coded or I) and a temporally predicted format (abstract, lines 1 – 3, col. 5, lines 35 – 37, inter-coded video frames or P), characterized in that the gradual refresh is implemented by defining a region within the picture area represented by the video frames (col. 5, lines 62 – 67), refreshing the picture content of the region progressively as each encoded frame of the video sequence is decoded after said random access (cols. 5, - 6 lines 62 – 7) and causing the region to evolve progressively in a predetermined manner over a period of more than one frame to cover the entire picture

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area represented by the video frames, thereby providing a complete refresh of the picture content (abstract, lines 1 – 3, figs. 1 - 2, col. 6, lines 22 – 57).

Regarding claim 2, Boyce '143 discloses, characterized in that the random access occurs at a frame encoded in a temporally predicted format (col. 5, lines 35 – 37, inter-coded video frames or P, which is predicted from the temporally preceding I (random access) or P picture).

Regarding claim 3, Boyce '143 discloses, characterized in that the random access occurs at a frame encoded in a non-temporally predicted format (figs. 1 – 2, intra-coded or I).

Regarding claim 4, Boyce '143 discloses, indication of the predetermined manner in which the region evolves is provided in a bit-stream representative of the encoded video sequence (i.e. col. 8, lines 23 – 41, and also MPEG header information represents encoded video sequence and/or coding order of the region).

Regarding claim 8, Boyce '143 discloses, video decoder (i.e. 3).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Boyce (US 5,778,143) in view of Chen (US 6,072,831).

Regarding claim 5, Boyce '143 teaches, MPEG video sequence comprising a number of video frames (I (intra) and P and/or B predicted/inter), which are arranged into ordered groups (col. 3, lines 10 – 13).

Boyce '143 is silent to explicitly mention "indication of direction" of region/frame.

Chen '831 in the same field (i.e. fig. 1) teaches the arrangement of number of video frames with indication of the direction (col. 3, lines 35 – 40).

In view of the above, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to implement such conventional teaching to realize the temporal and disparity video picture prediction direction (col. 3, lines 35 – 40).

Allowable Subject Matter

6. Claims 6 – 7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is an examiner's statement of reasons for allowance: The prior art of the record fails to anticipate or rendered obvious the limitation "characterized in that the indication of the predetermined manner in which the region evolves includes an indication of a growth rate that specifies an amount by which the region grows from one frame to the next" as claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Behrooz Senfi** whose telephone number is **(571) 272-7339**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Mehrdad Dastouri** can be reached on **(571) 272-7418**.

Hand-delivered responses should be brought to Randolph Building, 401 Dulany Street, Alexandria, Va. 22314.

Any inquiry of a general nature or relative to the status of the application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is **(571) 272-6000**,

Or faxed to:

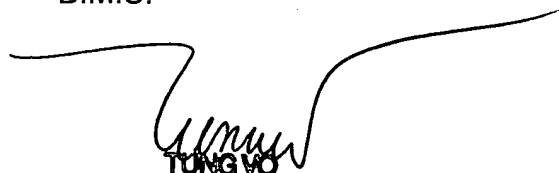
(571) 273-8300

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For

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more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

B.M.S.



TUNG VO
PRIMARY EXAMINER